

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL VASILIIY KOLESNIK,

Plaintiff,

v.

ELDON VAIL et al.,

Defendant.

CASE NO. C12-5278 BHS-JRC

ORDER ON PENDING MOTION
AND A REQUEST MADE BY
LETTER

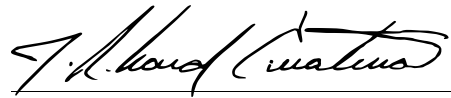
The District Court has referred this 42 U.S.C. §1983 civil rights action to the undersigned Magistrate Judge. The Court's authority for the referral is found in 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges Rules MJR 1, MJR 3, and MJR 4.

Defendants have filed a motion asking that they be allowed to file one consolidated answer (ECF No. 36). The motion is necessary because some defendants' answer will be due long before the answer of defendants who were served in January of this year. The motion is granted. An answer by all served defendants will be due on or before March 22, 2013.

Plaintiff has filed a letter asking the Clerk's Office to attempt to serve defendant Eldon Vail at a different address. Any request for Court action needs to be in the form of a motion that

1 is properly noted and served on opposing counsel. The Court does not conduct business by letter
2 because the opposing side needs notice that a motion is before the Court. The Court conducting
3 business by motions ensures that all parties have the opportunity to be heard. Plaintiff's letter has
4 been filed; no further action will be taken on this issue until the Court has a proper motion before
5 it.

6 Dated this 14th day of February, 2013.

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9 J. Richard Creatura
10 United States Magistrate Judge
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